

main
date
3/14/03

PATENTS

To: Commissioner of Patents & Trademarks

Atty. Docket No. 56150319-2

Serial/Patent No. 09/935,142

Date Mailed 2/14/2003

File Date 8/21/2001

Attorney FMG:ahf

Inventor: Anthony Craig Shurman

Title: DISPENSING CONTAINER

The U.S. Patent & Trademark Office stamp herein acknowledges receipt of the following:

☐ Application (Utility ☐ or Design ☐)

☐ Total Pages ☐ Sheets of Drawings

☐ Declaration and Power

☒ Transmittal Letter

☐ Small Entity Form

☐ Assignment

☐ Response to Office Action

☐ Request for Extension of Time

☐ Petition

☐ Response to Missing Parts

☐ Amendment

☒ IDS & Citation in Application Form

☐ Certified Copy of Priority Document

☐ Issue Fee Transmittal Form(s)

☐ Check(s) \$

☒ Other: 6 references cited; PTO/SB/08B Form; return receipt postcard.

H6/2
pin
act
6 fup
3/14/03

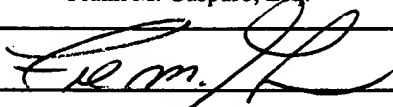
Please type a plus sign (+) inside this box → ☐


PTO/SB/21 (6-98)
Approved for use through 09/30/2000. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/935,142
	Filing Date	8/21/2001
	First Named Inventor	Anthony Craig Shurman
	Group Art Unit	3728
	Examiner Name	Luan Kim Bui
Total Number of Pages in This Submission		Attorney Docket Number 56150319-2

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): <div>PTO/SB/08B Form; 6 references cited; return receipt postcard.</div>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Frank M. Gasparo, Esq.
Signature	
Date	February 14, 2003

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: 2/14/2003			
Typed or printed name	Frank M. Gasparo, Esq.		
Signature		Date	2/14/2003

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

L. Nelson
#2/IPS
11-1-01

1c978 U.S. PTO
09/935142
08/21/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Anthony Craig Shurman
Application No.: Not Yet Known
U.S. Filing Date: August 21, 2001
Title: DISPENSING CONTAINER

Box Patent Application
Assistant Commissioner for Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

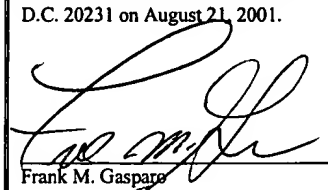
S I R:

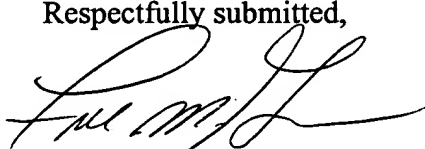
1. As a means of complying with the duty of disclosure set forth in 37 C.F.R. § 1.56 and in conformance with the procedures of 37 C.F.R. §§ 1.97 and 1.98 and M.P.E.P. § 609, attorneys for the Applicant hereby submit information thought to be relevant to the examination of the above-identified application. Also submitted herewith to the attention of the Examiner is a completed form PTO-1449. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.
2. No fee is deemed necessary with the filing of these documents. If a fee is deemed necessary, we authorize the Commissioner of Patents and Trademarks to charge Deposit Account No.: 02-0393.

Dated: August 21, 2001

Respectfully submitted,

I hereby certify that this correspondence is being deposited in the United States Postal Service as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231 on August 21, 2001.


Frank M. Gasparo Reg. No. 44,700


Frank M. Gasparo
Reg. No. 44,700
Baker & McKenzie
805 Third Avenue
New York, New York 10022
Telephone (212) 751-5700
Facsimile (212) 759-9133

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Anthony Craig Shurman
Application No.: 09/935,142
U.S. Filing Date: August 21, 2001
Title: DISPENSING CONTAINER
Group Art Unit: 3728
Examiner: Luan Kim Bui

Commissioner for Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Sir:

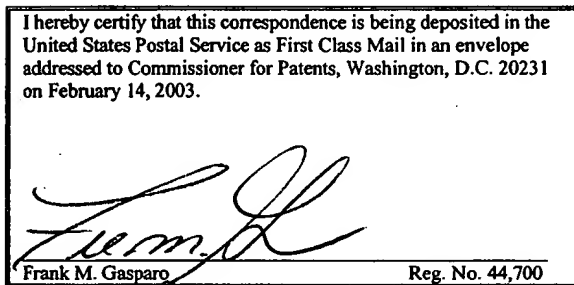
In accordance with the duty of disclosure under 37 C.F.R. § 1.56 and in conformance with the procedures of 37 C.F.R. §§ 1.97 and 1.98 and M.P.E.P. § 609, attorneys for the Applicant hereby bring the following materials to the examination of the above-identified application to the attention of the Examiner. The materials are listed on the attached PTO Form PTO/SB/08B. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the materials be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

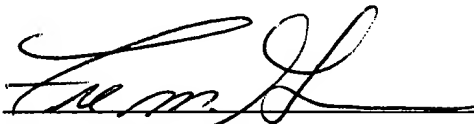
This information disclosure statement is being filed under 37 C.F.R. § 1.97(c), before the mailing date of any final action under § 1.113, a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application. Copies of photographs of the cited materials are enclosed. In the photographs, Applicant includes a quarter for purposes of illustrating the size of the respective material.

The Commissioner of Patents and Trademarks is hereby authorized to charge the fee set forth in § 1.17(p) or credit any overpayments that may be necessary to Deposit Account No. 02-0393 of Baker & McKenzie.

Dated: February 14, 2003

Respectfully submitted,




Frank M. Gasparo
Reg. No. 44,700
Baker & McKenzie
805 Third Avenue
New York, New York 10022
Telephone (212) 751-5700
Facsimile (212) 759-9133

BAKER & MCKENZIE

ATTORNEYS AT LAW

**EUROPE
MIDDLE EAST**

AMSTERDAM
BAHRAIN
BARCELONA
BERLIN
BRUSSELS
BUDAPEST
CAIRO
DUSSELDORF
FRANKFURT
GENEVA
KYIV
LONDON
MADRID
MILAN
MOSCOW
MUNICH
PARIS
PRAGUE
RIYADH
ROME
ST. PETERSBURG
STOCKHOLM
WARSAW
ZURICH

**ASIA
PACIFIC**

ALMATY
BAKU
BANGKOK
BEIJING
HANOI
HO CHI MINH CITY
HONG KONG
HSINCHU
MANILA
MELBOURNE
SINGAPORE
SYDNEY
TAIPEI
TOKYO

**NORTH AND
SOUTH AMERICA**

BOGOTA
BRASILIA
BUENOS AIRES
CALGARY
CARACAS
CHICAGO
DALLAS
GUADALAJARA
HOUSTON
JUAREZ
MEXICO CITY
MIAMI
MONTERREY
NEW YORK
PALO ALTO
RIO DE JANEIRO
SAN DIEGO
SAN FRANCISCO
SANTIAGO
SAO PAULO
TIJUANA
TORONTO
VALENCIA
WASHINGTON, D.C.

805 THIRD AVENUE
NEW YORK, NEW YORK 10022
TELEPHONE (212) 751-5700
CABLE ABOGADO · TELEX 62572
FACSIMILE (212) 759-9133

March 5, 2003

Examiner Luan Kim Bui
Group Art Unit 3728
United States Patent and Trademark Office
Washington, D.C. 20231


Re: U.S. Patent Application entitled
DISPENSING CONTAINER
Filing Date: August 21, 2001
Serial No.: 09/935,142
Our Ref. No.: 56150319-2

Examiner Bui:

Thank you again for allowing us the opportunity to speak with you yesterday about the above-identified patent application. As you requested, please find enclosed a copy of the Information Disclosure Statement filed with the United States Patent and Trademark Office on February 14, 2003, including copies of color photographs. We have also enclosed an actual product and an empty cigarette package.

We look forward to arranging another telephone interview with you after you have had time to review the enclosed Information Disclosure Statement.

With best regards,


Frank M. Gasparo

Enclosure